

REMARKS

Claims 1-8 are currently pending in the present application, with Claims 1 and 3-8 being amended. Reconsideration and reexamination of the claims, as amended, are respectfully requested.

The Examiner objected to Claims 1, 6, 7, and 8 for reasons of informalities. Applicants have amended the claims to correct the errors.

The Examiner rejected Claims 1, 3-5, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Aoki et al. (U.S. patent no. 5,734,633) in view of Kurata et al. (U.S. patent no. 5,128,914). This rejection is respectfully traversed with respect to the amended claims.

The present invention is directed to an optical recording apparatus and method, wherein guide grooves defining a spiral track having plural rounds are formed on an optical disk. An optical pickup includes a light source for generating an optical beam that passes through a diffractive grating for causing the beam to split into a main beam and a pair of sub beams opposite to each other with respect to the main beam. A servo operates the optical pick up to enable the main beam to trace the spiral track with the accompanying pair of the sub beams along opposite sides of the spiral track in accordance with tracking error signals. As recited in Claim 1 and all of the other independent claims, information is recorded to the disk by modulating the main beam to widely form pits such that the pits recorded during a previous round overlaps partially with the sub beam placed on the inner side so as to cause an undesirable track jumping, wherein a control section controls the recording such that the recording of information is alternatively enabled to record and disabled to blank rounds.

Neither Aoki nor Kurata contain any disclosure or suggestion of increasing power to the main beam of an optical pickup so as to widely form pits such that pits recorded on previous rounds

overlap with the sub beam that is positioned on the inner radial side so as to cause track jumping. Rather, Aoki simply discloses an optical-disk recording apparatus that records information at alternate tracks so as to present deterioration of the information recorded due to inadvertent neighboring erasure (see column 11, lines 24-29 of Aoki). Kurata, on the other hand, discloses a three-beam optical recording apparatus, wherein two sub beams are used to track error signals in order to stabilize the main recording beam. Neither references teach or suggest modulating and powering the main beam so as to widely form pits so that the pits recorded during a previous round overlaps with the inner-positioned sub beam. Accordingly, Applicants respectfully submit that Claims 1, 3-5, and 8, as amended, are not obvious in view of Aoki and Kurata.

The Examiner rejected Claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Aoki in view of Kurata and Fukinuki et al. (U.S. patent no. 6,246,651). This rejection is respectfully traversed with respect to the amended claims.

As discussed above, neither Aoki nor Kurata teach or suggest modulating and powering the main beam so as to widely form pits so that the pits recorded during a previous round overlaps with the inner-positioned sub beam (also recited in amended Claims 6 and 7). Kukiinuki fails to make up for this deficiency; rather, Kukiinuki simply discloses timing control for controlling the rotational speed of the optical disk. Accordingly, Applicants respectfully submit that Claims 6 and 8 are also not obvious in view of Aoki, Kurata, and Kukiinuki.

The Examiner rejected Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Aoki in view of Kurata and further in view of Ogasawara (U.S. patent no. 5,500,840). This rejection is respectfully traversed.

Again, neither Aoki nor Kurata teach or suggest modulating and powering the main beam so as to widely form pits so that the pits recorded during a previous round overlaps with the inner-positioned sub beam (also recited in amended base Claim 1). Ogasawara fails to make up for this deficiency; rather, Ogasawara simply discloses controlling the laser of an CD-RW device to jump tracks. Accordingly, Applicants respectfully submit that dependent Claim 2 is not obvious in view of Aoki, Kurata, and Ogasawara.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below. In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. **393032038300**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 7, 2005

Respectfully submitted,

By 

David T. Yang

Registration No.: 44,415
MORRISON & FOERSTER LLP
555 West Fifth Street
Los Angeles, California 90013-1024
(213) 892-5587